



3/17/04

## FINAL PASSAGE

**SB 783 (McManus)**

**SB 784 (Cassis)**

SB 783 would provide criminal penalties for “hazing” at an educational institution that resulted in injury or death. A violation of the anti-hazing act would be a crime punishable at different levels depending on whether the victim suffered physical injury, serious injury, or death.

- **THOMAS 1** (3 amends) was ruled to be germane (by Lt. Governor Cherry); however, the Republicans over-ruled his decision [no RC]. This would have added “bullying” to the list of items for which schools must also work to stop, so that kids can remain safe in school.
- **BRATER 2** (1 amend) was withdrawn. This would have required health care workers treating someone they suspect to be a victim of hazing to notify law enforcement officials.
- **SB 783** passed [RC 134: 37 yes, 0 no].

SB 784 would add the crimes created in SB 783 to the State’s Sentencing Guidelines.

- **SB 784** passed [RC 135: 37 yes, 0 no].

**SB 990 (Bishop)**

SB 990 would amend “tolling” of statute of limitations to provide that a civil case would comply with the statute of limitations once the complaint is filed with the court as opposed to the time period continuing to run until the defendant was served. The copy of the summons and complaint would be served upon the defendant within the time set for in the current court rules.

“Tolling” refers to the temporary suspension of time with respect to a statute of limitations. In this situation, it would mean that the time period for the statute of limitations would stop once the complaint was filed with the court and not continue to run until the defendant was served. This bill is necessary to ensure that cases that are filed in a timely manner are not dismissed because service was not performed prior to expiration of the statute of limitations.

Support: The Michigan Trial Lawyers Association.

- **SB 990** passed [RC 136: 37 yes, 0 no].

## THIRD READING

## **SB 647 (Patterson)**

Support: Association of Underground Contractors, MI Concrete Paving Assn., Federation of Independent Businessmen, MI Road Builders, MI Restaurant Assn.

Oppose: MI State AFL-CIO, MI State Building Trades, Teamsters, UAW, Operating Engineers, MI State Employees Assn., MIOSHA, DLEG

SB 647 is an anti-worker bill because it: 1) Creates an incentive for employers to be ignorant of the law thus endangering employees. A lack of “knowledge” serves as an acceptable defense. 2) Diminishes employer responsibility. 3) Negatively impacts MIOSHA’s ability to conduct investigations of unsafe work places. 4) Negatively impacts MIOSHA’s ability to prosecute employers for willful violations.

- **Patterson 1 (1 amend) was adopted [no RC].**
- **SB 647 was moved to 3<sup>rd</sup> Reading.**

## **SB 847 (SWITALSKI)**

SB 847 conveys public land to the Macomb-Oakland Regional Center, Inc., at fair market value, and would eliminate the requirement that the services be strictly for indigent persons. The bill also would include "physical rehabilitation" and "other human service needs" as authorized purposes of the conveyance, and would require that the appraised value of the property be based on its use as providing services to individuals who are aged, physically handicapped, and substance abusers, in addition to people who are mentally ill or developmentally disabled.

The bill is tie-barred to House Bill 5340, which would prohibit the resale of the property for one year, and states that if it were subsequently sold for any purpose other than the provision of community-based services, the State would be entitled to 50% of the net profit from the sales.

- **Committee 1 (S-1) was adopted [no RC].**
- **SB 847 was moved to 3<sup>rd</sup> Reading.**

## **HB 5190 (Lajoy)**

HB 5190 would establish the Office of Human Resources within the Dept. of Civil Service. The Office would consolidate and reorganize all human resource operations within the Executive Branch, excluding the AG and Sec. of State. All resources activities, including payroll and employee benefits, would be conducted by this Office.

Opposed: Governor’s office, UAW, SEIU, AFL-CIO – This is a political bill designed to embarrass the governor and usurp her power-infringes on historical executive prerogative. Besides, the Republican controlled Atty. General and Sec. of State offices are exempt from the consolidation. Finally, there is no evidence that a centralized human resources dept. is either more effective or cost-efficient.

- **Committee 1 (S-1) was adopted [no RC].**
- **HB 5190 was moved to 3<sup>rd</sup> Reading.**

## **HB 5386 (Bisbee)**

HB 5386 allows the Department of Correction to convey two parcels of property to the Department of Military Affairs.

The first parcel is a 30 acres parcel that used to be a farm field. The Department of Military affairs would like to use this property to build a new armory court, and are up for a grant from the federal government, however Military Affairs must own this property before the grant can happen.

The second piece of property is the site of the old armory court, which contains some very old buildings. In the 1940's most of the property surrounding this parcel was conveyed from Corrections to Military Affairs, and this piece was inadvertently left out.

- HB 5386 was moved to 3<sup>rd</sup> Reading. No amendments.

## RESOLUTIONS

### HCR 24 (Rocca)

HCR 24 memorializes Congress to enact legislation to grant a federal charter to the Korean War Veterans Association.

- HCR 24 was adopted [no RC].